

IN THE  
Court of Appeal of the State of California

IN AND FOR THE  
Fifth Appellate District

**F058037      Narcisse v. Worley**

In light of appellant's failure to respond to this court's July 14, 2009, order and the fact that respondent was not served, and therefore did not appear in the lower court action, the above entitled appeal is dismissed.

**F056641      People v. Zubiata, Jr.**

The above-entitled case is submitted for decision.

**F056641      People v. Zubiata, Jr.**

The trial court is directed to correct its minutes and prepare an amended abstract of judgment consistent with this opinion. The trial court is further directed to forward a certified copy of the abstract of judgment to the Department of Corrections and Rehabilitation. In all other respects, the judgment is affirmed.

By the Court.

[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]

**F057813      In re Z.L., a Minor**

IT IS HEREBY ORDERED that the appeal in the above-entitled action is dismissed.

**F056782      People v. Arnold**

The above-entitled case is submitted for decision.

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**F056782      People v. Arnold**

The judgment is modified to strike the stayed prior prison term enhancement in count 2 and to require Arnold to comply with the requirements of section 296 and to pay Home Depot \$60 in direct victim restitution as per section 1202.4, subdivision (d). The trial court is directed to issue an amended abstract of judgment consistent with this opinion and to forward a certified copy to the Department of Corrections and Rehabilitation. As modified, the judgment is affirmed.

By the Court.

[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]

**F056053      People v. Valencia**

Oral argument having been waived in the above-entitled case in accordance with the provisions of a notice mailed to counsel, the case is submitted for decision.

**F056095      People v. Ewing**

The attorney fees order is ordered stricken. The superior court is directed to amend the abstract of judgment accordingly and to transmit certified copies of the amended abstract to all appropriate parties and entities. The judgment is affirmed in all other respects.

By the Court.

[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]

**F051812      People v. Stone**

The above entitled case having been transferred from the Supreme Court for further proceedings in accordance with its decision, and further briefing having been received from the parties, the case is submitted for decision.

**F056123      People v. Stell**

Oral argument having been waived in the above-entitled case in accordance with the provisions of a notice mailed to counsel, the case is submitted for decision.

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**F057856      In re J.Q., a Person Coming Under the Juvenile Court Law**

IT IS HEREBY ORDERED that the appeal in the above-entitled action is dismissed.

**F058352      Moten v. Yale**

Appellant having failed to perform the acts necessary to procure the record after the clerk of the trial court issued notice pursuant to the provisions of rule 8.140, California Rules of Court, IT IS HEREBY ORDERED that the appeal in the above-entitled action is dismissed.

**F057220      In re Douglas Sorto**

Let a writ of habeas corpus issue directing the Clerk of the Superior Court of Tulare County, if the Clerk receives said notice of appeal on or before October 30, 2009, to file the notice of appeal, to treat it as being timely filed, and to proceed in accordance with the applicable rules of the California Rules of Court. Levy, Acting P.J.

We concur: Cornell, J.; Dawson, J.

[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]

**F057407      In re E.A., a Minor.**

Counsel having failed to request oral argument in the above-entitled case, oral argument is deemed waived in accordance with the provisions of a notice heretofore mailed to counsel and the cause is submitted.

**F057407      In re E.A., a Minor.**

The judgment of the juvenile court is affirmed.

By the Court.

[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]

**F058624      Pratt v. City of Bakersfield et al.**

Appellant Robert Pratt having filed an abandonment and/or request for dismissal of appeal, IT IS HEREBY ORDERED that the appeal in the above-entitled action is dismissed as to Robert Pratt only.